

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO, CALIFORNIA ESTABLISHING SOLID WASTE COLLECTION RATE INCREASES WITHIN AREAS SURROUNDING THE LOS OSOS COMMUNITY SERVICES DISTRICT

The following Resolution is hereby offered and read:

WHEREAS, on or about December 9, 2008, the County of San Luis Obispo ("County") and Mission Country Disposal ("Mission Country") entered into an Amended and Restated Solid Waste Collection Franchise Agreement ("Franchise Agreement") pursuant to which Mission Country provides solid waste collection services to homes and business within areas outside of but surrounding the Los Osos Community Services District ("Service Area"); and

WHEREAS, Mission Country submitted a request for a rate increase within the Service Area to County in September 2015; and

WHEREAS, the request is based on increased operational expenses, resulting from, without limitation, the rising costs associated with the operation of a garbage company, the rising costs associated with operation and fuel for vehicles, increased labor costs, increased landfill rates and the costs associated with implementation of an Organics Program as mandated by Assembly Bill 1826 (2014); and

WHEREAS, a review of the request has been completed by the County Auditor-Controller in accordance with the Franchise Agreement; and

WHEREAS, in addition, because Mission Country simultaneously requested the same rate increase within the Los Osos Community Services District to County, the rate increase has been reviewed for consistency with the *City of San Luis Obispo Rate Setting Process Methodology Manual for Integrated Solid Waste Management Rates* dated June 1994; and

WHEREAS, Section 8.3.2 of the Franchise Agreement gives the County the right to terminate the Franchise Agreement in the event that Mission Country requests and is granted a rate increase that when compared to the rate on the effective date of the Franchise Agreement exceeds the cumulative cost of living increase from the effective date of the Franchise Agreement; and

WHEREAS, on February 3, 2016, a notice of public hearing on the requested rate increase was sent to all customers of Mission Country and all record owners of the serviced parcels within the Service Area; and

WHEREAS, the Board of Supervisors conducted a public hearing on the requested rate increase on March 22, 2016; and

WHEREAS, sufficient written protests were not received to prevent the increase.

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED by the Board of Supervisors of the County of San Luis Obispo as follows:

Section 1: The above recitals are true and correct and incorporated herein by this reference.

Section 2: The rates set forth on Exhibit A attached hereto and incorporated herein by this reference are approved and adopted.

Section 3: Due to the reasonableness of the rate increase, the County will not exercise the termination option set forth in Section 8.3.2 of the Franchise Agreement with respect to the rates approved and adopted pursuant to this Resolution.

Section 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution, or any part thereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of any chapter or part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 5: The Board of Supervisors finds that adoption of this Resolution and establishment of the rates set forth on Exhibit A is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq.) (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273 inasmuch as the rates to be implemented are for the purpose of meeting operating expenses, purchasing or leasing of supplies, equipment and materials, meeting financial reserve needs and requirements and

funding previously approved capital projects necessary to maintain service within the existing service areas.

Section 6: This Resolution shall take effect immediately. The rates established by this Resolution shall take effect on April 1, 2016 unless otherwise specified in Exhibit A.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call votes, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted on the ____ day of _____, 20__.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors
[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:
RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: March 9, 2016

EXHIBIT A

**MISSION COUNTRY DISPOSAL - RECOMMENDED BASE YEAR RATE INCREASE
AREAS SURROUNDING THE LOS OSOS CSD
BOUNDARIES**

**EFFECTIVE DATE: APRIL 1,
2016**

SERVICE DESCRIPTION	PICKUPS PER WEEK	CURRENT RATES 1/1/2015	BASE YEAR RATE ADJUSTMENT	PROPOSED RATES EFFECTIVE 4/1/2016
RESIDENTIAL (PER MONTH CHARGE FOR ONCE A WEEK SERVICE)				
1 Can Waste Wheeler Curb (See Note 2)	Low Income	\$13.60	10.37%	\$15.01
1 Can Waste Wheeler Curb (See Note 1)		\$19.38	10.37%	\$21.39
2 Can Waste Wheeler Curb		\$24.45	10.37%	\$26.99
3 Can Waste Wheeler Curb		\$29.51	10.37%	\$32.57
Service Away From the Street Curb (See Note 4)		\$8.08	10.37%	\$8.92
URBAN COMMERCIAL:				
1 Yard Dumpster	1	\$72.31	10.37%	\$79.81
1 Yard Dumpster	2	\$107.37	10.37%	\$118.50
1 Yard Dumpster	3	\$149.26	10.37%	\$164.74
1 Yard Dumpster	4	\$187.79	10.37%	\$207.26
1 Yard Dumpster	5	\$229.77	10.37%	\$253.60
1 Yard Dumpster	6	\$269.95	10.37%	\$297.94
1 Yard Dumpster	7	\$325.62	10.37%	\$359.39
1.5 Yard Dumpster	1	\$84.63	10.37%	\$93.41
1.5 Yard Dumpster	2	\$133.50	10.37%	\$147.34
1.5 Yard Dumpster	3	\$187.79	10.37%	\$207.26
1.5 Yard Dumpster	4	\$247.18	10.37%	\$272.81
1.5 Yard Dumpster	5	\$306.78	10.37%	\$338.59
1.5 Yard Dumpster	6	\$364.41	10.37%	\$402.20
1.5 Yard Dumpster	7	\$443.17	10.37%	\$489.13
2 Yard Dumpster	1	\$102.07	10.37%	\$112.65
2 Yard Dumpster	2	\$154.57	10.37%	\$170.60
2 Yard Dumpster	3	\$227.98	10.37%	\$251.62
2 Yard Dumpster	4	\$303.17	10.37%	\$334.61
2 Yard Dumpster	5	\$378.40	10.37%	\$417.64
2 Yard Dumpster	6	\$453.67	10.37%	\$500.72
2 Yard Dumpster	7	\$555.40	10.37%	\$612.99
3 Yard Dumpster	1	\$130.07	10.37%	\$143.56
3 Yard Dumpster	2	\$210.54	10.37%	\$232.37
3 Yard Dumpster	3	\$296.25	10.37%	\$326.97
3 Yard Dumpster	4	\$397.61	10.37%	\$438.84
3 Yard Dumpster	5	\$478.08	10.37%	\$527.66
3 Yard Dumpster	6	\$576.11	10.37%	\$635.85
3 Yard Dumpster	7	\$741.55	10.37%	\$818.45

4 Yard Dumpster	1	\$179.08	10.37%	\$197.65
4 Yard Dumpster	2	\$264.67	10.37%	\$292.12
4 Yard Dumpster	3	\$387.25	10.37%	\$427.41
4 Yard Dumpster	4	\$514.90	10.37%	\$568.30
4 Yard Dumpster	5	\$651.27	10.37%	\$718.81
4 Yard Dumpster	6	\$768.39	10.37%	\$848.07
4 Yard Dumpster	7	\$974.04	10.37%	\$1,075.05
Sunday Service*		\$62.16	10.37%	\$68.61
Loose Refuse Per Yard		\$12.12	10.37%	\$13.38

*Sunday Service is a per month charge in addition to the garbage collection service monthly cost.

**RECYCLING COLLECTION
COMMERCIAL DUMPSTER CONTAINERS (PER MONTH)
(25% OF GARBAGE RATES)**

1 Yard Dumpster	1	NO CHARGE		\$0.00
1 Yard Dumpster	2	\$26.85	10.37%	\$29.63
1 Yard Dumpster	3	\$37.31	10.37%	\$41.18
1 Yard Dumpster	4	\$46.96	10.37%	\$51.83
1 Yard Dumpster	5	\$57.45	10.37%	\$63.41
1.5 Yard Dumpster	1	NO CHARGE		\$0.00
1.5 Yard Dumpster	2	\$33.37	10.37%	\$36.83
1.5 Yard Dumpster	3	\$46.96	10.37%	\$51.83
1.5 Yard Dumpster	4	\$61.80	10.37%	\$68.21
1.5 Yard Dumpster	5	\$76.70	10.37%	\$84.65
2 Yard Dumpster	1	NO CHARGE		\$0.00
2 Yard Dumpster	2	\$38.65	10.37%	\$42.66
2 Yard Dumpster	3	\$57.00	10.37%	\$62.91
2 Yard Dumpster	4	\$75.82	10.37%	\$83.68
2 Yard Dumpster	5	\$94.62	10.37%	\$104.43

POLYSTYRENE COLLECTION - Polystyrene is no longer collected for recycling. It should be thrown away as trash.

The rates shown above include the monthly container rental fee and are for the same for bins and garwoods, when volume is identical.

COMMERCIAL GARBAGE CANS

1 Can - 32 Gallon Waste Wheeler (see Note 1)	1	\$19.38	10.37%	\$21.39
2 Cans - 64 Gallon Waste Wheeler	1	\$27.91	10.37%	\$30.80
3 Cans - 96 Gallon Waste Wheeler	1	\$33.82	10.37%	\$37.33

MISCELLANEOUS CHARGES (See Note 8)

Short Term Containers:				
Container Delivery (includes removal)		\$34.59	10.37%	\$38.18
Container Rental	per day	\$0.98	10.37%	\$1.08
Emptying Container:				

1 Yard (minimum charge)	each	\$18.99	10.37%	\$20.96
1.5 Yard	each	\$27.62	10.37%	\$30.48
2 Yard	each	\$31.02	10.37%	\$34.24
3 Yard	each	\$43.16	10.37%	\$47.64
4 Yard	each	\$53.58	10.37%	\$59.14
Trip Charge (See Note 6)	each	\$27.63	10.37%	\$30.50
White Goods	each	NEW RATE		\$51.72
Small Extra	each	NEW RATE		\$15.03
Bin Rental	each	NEW RATE		\$30.80
Extra dumpster cleaning	each	\$50.08	10.37%	\$55.27
Extra dumpster delivery	each	\$34.59	10.37%	\$38.18
Installing lock on dumpster	each	\$58.63	10.37%	\$64.71
Optional Waster Wheeler Rental (see note 5)	per month	\$1.35	10.37%	\$1.49
Xtra Greenwaste 32 gal cart	per month	NEW RATE		\$5.50
Xtra Greenwaste 96 gal cart	per month	NEW RATE		\$5.50
Additional collection charge per 32 gallon can or equivalent volume.	per collection	\$5.79	10.37%	\$6.39
Mileage Charge (See Note 3)	per mile & per trip	\$0.50	10.37%	\$0.55
MISCELLANEOUS CHARGES (continued)				
USED OIL COLLECTION				
Call for details and pick up schedule.	no charge	\$0.00		\$0.00
Late Fee (See Note 7)	per month	\$5.00		\$5.00
Stop/Restart/Change residential service, within 90 days.	per occurrence	\$20.00	10.37%	\$22.07
ADDITIONAL INFORMATION				
1) One standard trash can is the equivalent unit volume to a 32 Gallon Waste Wheeler.				
2) Low income customers enrolled in PG&E's or the Gas Company's low income programs are eligible for a reduced one can rate. Please contact the garbage company for details.				
3) Mileage charge: A charge applied to the customer's bill for additional mileage beyond 1/2 mile from the urban reserve line. The mileage charge is added for each round trip.				
4) Service away from the curb: A monthly charge that is assessed to the residential customer's bill when service inside the property line is requested. This charge is not applicable to disabled customers without the means of setting the containers in the public right of way for collection.				
5) Optional Waste Wheeler Charge: A charge for using more than one garbage waste wheeler at a given service level. For example, a customer who has subscribed to a 64 gallon monthly garbage service level may choose two 32 gallon garbage waste wheelers instead of one 64 gallon garbage waste wheeler, for this additional charge.				
6) Trip Charge: A charge to service a residential customer on a non-route day or after the area's collection has occurred. Additional fees may be incurred according to volume of waste collected and any applicable mileage charges (see note 3).				
7) Late Fees: These are imposed for all customers over 30 days delinquent delinquent. The fee is 1.5% per month of the outstanding charge, with a minimum fee of \$5.00. No prior notice is required, as this late fee policy is stated at the bottom of every bill.				
8) Miscellaneous Charges: are increased by one rate for all three unincorporated areas receiving garbage hauling services provided by Mission Country Disposal.				

In addition, commencing on January 1, 2017 and January 1, 2018, all the rates shall be increased based on the following:

1) Increase, if any, in the Consumer Price Index (CPI) for the Bureau of Labor Statistics' Consumer Price Index for Urban Consumers based on the All U.S. City Average, Bureau of Labor Statistics for the month of June 2016 for January 1, 2017 and June 2017 for January 1, 2018; and

2) Increase of 0.59% for 2017 and 0.57% for 2018 for increase in the cost of landfill disposal.

Effective date for rates shown in current rate column:

January 1, 2015

This increase is approximately:

10.37%

**Effective
Date:**

1-Apr-16